REMARKS

This is a full and timely response to the outstanding final Office Action mailed May 3, 2004. Upon entry of this response, claims 2 – 3, 5 – 9, 11 and 13 - 20 remain pending. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

Rejections under 35 U.S.C. §103

The Office Action indicates that claims 2, 3, 6 - 9, 13, 14 and 16 - 20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Carcerano* in view of *Roberts*. Additionally, the Office Action indicates that claims 5, 11 and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Carcerano* in view of *Marbry*. Applicant respectfully traverses the rejections.

Turning first to the references, the Office Action indicates that *Carcerano* does not specifically teach the method for: automatically determining whether the current network configuration corresponds to the first network configuration; and if the current network configuration does not correspond to the first network configuration, automatically reconfiguring the network device such that the current network configuration of the network device corresponds to the first network configuration, thereby enabling the network device to communicate with the network. Applicant generally agrees with the above contention that *Carcerano* does not teach at least these features/limitations. However, the Office Action also indicates that *Carcerano* teaches "automatically comparing the current network configuration with the information corresponding to the first network configuration," and that support for this teaching can be found at *Carcerano* at column 2, lines 45 – 54. Applicant respectfully disagrees with this contention.

Respectfully referring the Examiner's attention to that portion of *Carcerano*, *Carcerano* discloses:

The first request identifies a targeted one of the network device, together with a request for the target devices configuration. Responsive to the first request, a response corresponding to the requested configuration is generated dynamically from the database, with the response preferably being a format representative of a visual display of configuration information for the targeted network device. The response is preferably dynamically generated HTML code based at least in part on the configuration information stored in the database and on a template. The response is sent to the requesting station. (*Carcerano*, Col. 2, lines 45 – 54).

Applicant respectfully asserts that there is nothing in the cited portion of *Carcerano* or any other portion of *Carcerano* that teaches or reasonably suggests "automatically comparing a current network configuration with the information corresponding to the first network configuration" as asserted in the Office Action. In particular, it appears that *Carcerano* automatically generates a response corresponding to a requested configuration.

With respect to the *Roberts* reference, the Office Action indicates that *Roberts* teaches the method for:

automatically determining whether the current network configuration corresponds to the first network configuration (e.g., FIG. 4, box 220); and if the current network configuration does not correspond to the first network configuration, automatically reconfiguring the network device such that the current network configuration of the network device corresponds to the first network configuration, thereby enabling the network device to communicate with the network (e.g., Col. 5, lines 1 – 20).

The Office Action then indicates that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine *Carcerano* with *Roberts*, thereby rendering obvious the pending independent claims. Applicant respectfully disagrees with this contention.

As an initial matter, *Roberts* generally involves configuring unconfigured devices. By way of example, the discussion of FIGs. 3 – 5, particularly the discussion of step 202, relates to "a determination as to the real extent of the pertinent networks (also referred to herein as "web") and a number of times that the user desires to scan the web for unconfigured devices ("scan delay") is set at step 204." Thus, *Roberts* clearly refers to unconfigured devices.

Roberts continues with the following:

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Referring specifically to FIG. 4, upon initializing the utility, the system may abort in response to a check in step 214. Assuming that the autoconfiguration is desired, the SAP table (FIG. 2) of each selected server on the web is scanned (step 216) and appropriate information therefrom is stored. After undergoing a preset ScanDelay (step 218) the SAP tables of the selected servers are scanned (step 219) to determine, at step 220, if new SAP information has been obtained. When the table includes new information, a check is made to step 222 to ascertain if the new SAP information is of the type that would prompt automatic configuration of a newly connected device. In some instances, the new SAP information will not be related to automatic configuration and the process will return to step 218 (*Roberts*, Col. 6, lines 27 – 40).

Roberts does not involve determining whether the current network configuration corresponds to the first network configuration because Roberts specifically relates to the use of new SAP information. Since *Roberts* discloses the use of "new SAP information" with respect to "a newly connected device," Applicant respectfully asserts that *Roberts* does not teach or reasonably suggest all the features/limitations of the pending claims as will be described in greater detail below.

Turning now to the claims, independent claim 17 recites:

17.   A method for configuring a network device for intercommunication with a network, the network device being communicatively coupled with the network and having a first network configuration enabling the network device to communicate with the network, said method comprising:
        recording information corresponding to the first network configuration of the network device;
automatically monitoring a current network configuration of the network device; and
        determining whether the network device is able to communicate with the network such that, if the network device is not able to communicate with the network:
        automatically comparing the current network configuration with the information corresponding to the first network configuration;
        automatically determining whether the current network configuration corresponds to the first network configuration; and
        if the current network configuration does not correspond to the first network configuration, automatically reconfiguring the network device such that the current network configuration of the network device corresponds to the first network configuration, thereby enabling the network device to communicate with the network.
(Emphasis Added).

Applicant respectfully asserts that the cited art, either individually or in combination, is legally deficient for the purpose of rendering obvious claim 17. In particular, Applicant respectfully asserts that *Carcerano* and/or *Roberts* do not teach or reasonably suggest at least the features/limitations emphasized above. The relevant teachings of *Carcerano* and *Roberts* have been described above and will not be described again here. Since the Office Action fails to present a prima facie case of obviousness for at least the reasons mentioned above, Applicant respectfully asserts that claim 17 is in condition for allowance. Since dependent claims 2 – 3, 5 – 9 and 18 incorporate all the features/limitations of claim 17, Applicant respectfully asserts that these claims also are in condition for allowance.

With respect to claim 20, that claim recites:

> 20. A network comprising:
> a communication interface;
> a first network device configured to communicatively couple with said communication interface;
> a second network device configured to communicatively couple with said communication interface, said second network device having a first network configuration enabling said second network device to communicate with said first network device;
> wherein said network is configured to:
> record information corresponding to the first network configuration of the second network device;
> monitor a current network configuration of the second network device; and
> ***determine whether the second network device is able to communicate with the first network device such that, if the second network device is not able to communicate with the first network device, said network:***
> ***compares the current network configuration with the information corresponding to the first network configuration;***
> ***determines whether the current network configuration corresponds to the first network configuration; and***
> ***if the current network configuration does not correspond to the first network configuration, reconfigures the second network device such that the current network configuration of the second network device corresponds to the first network configuration, thereby enabling the second network device to communicate with the first network device.***

Applicant respectfully asserts that the cited art, either individually or in combination, is legally deficient for the purpose of rendering obvious claim 20. In particular, Applicant respectfully asserts that *Carcerano* and/or *Roberts* do not teach or reasonably suggest at least

the features/limitations emphasized above. The relevant teachings of *Carcerano* and *Roberts* have been described above and will not be described again here. Since the Office Action fails to present a prima facie case of obviousness for at least the reasons mentioned above, Applicant respectfully asserts that claim 20 is in condition for allowance. Since dependent claims 13 - 16 incorporate all the features/limitations of claim 20, Applicant respectfully asserts that these claims also are in condition for allowance.

With respect to the rejection of claims 5, 11 and 15 over *Carcerano* and *Marbry*, Applicant respectfully asserts that *Marbry* does not teach or reasonably suggest at least the features/limitations described above as lacking *Carcerano*. Therefore, Applicant respectfully asserts that the rejection is legally deficient and that these claims also are in condition for allowance.
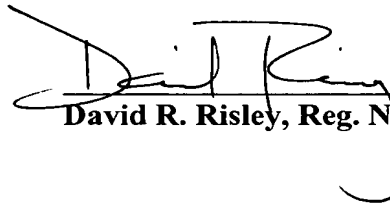
Cited Art Made of Record

The cited art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 2 – 3, 5 – 9, 11 and 13 - 20 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.
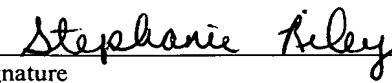
Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on _____6/28/04_____ .

_____Stephanie Riley_____
Signature

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